

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2567 - SB 2546

February 23, 2022

SUMMARY OF BILL: Increases, from two to three, the number of misdemeanor offenses for which a person can petition for expunction if one of the offenses was a Class C misdemeanor.

FISCAL IMPACT:

Increase Local Revenue – \$640,000/FY22-23 and Subsequent Years

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-32-101(k)(1)(B)(i), a person who commits two misdemeanor offenses for certain eligible crimes is authorized to petition the court for expunction.
- The proposed legislation increases, from two to three, the number of misdemeanor offenses for which a person can petition for expunction if one of the offenses was a Class C misdemeanor.
- There is an average of at least 64,000 expunctions processed each year.
- The number of individuals eligible to petition for expunction as a result of the proposed legislation is unknown. It is reasonably assumed there will be a 10 percent increase in petitions for expunction or 6,400 (64,000 x 10.0%).
- Pursuant to Tenn. Code Ann. § 8-21-401(d)(3), the court clerk is authorized to charge a fee up to \$100 for expungements.
- Public Chapter 200 of 2019 removed the \$180 fee for an individual petitioning the court for an expunction of certain criminal offenses and the \$350 fee for a defendant applying for expunction of an offense following the completion of a diversion program.
- The total increase in local government revenue is estimated to be \$640,000 (6,400 x \$100) in FY22-23 and subsequent years.
- Any increase in workload to the Tennessee Bureau of Investigations can be accommodated within existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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